

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal No. 17-312
)	
)	
ALASTAIR LEE STEWART,)	Judge Mark R. Hornak
)	
Defendant)	

**DEFENDANT ALASTAIR LEE STEWART'S MOTION FOR DOWNWARD
DEPARTURE FROM THE SENTENCING GUIDELINES**

COMES NOW, Defendant Alastair Lee Stewart, by his lawyer Jon Pushinsky, and, submits the instant request for a downward departure of his U.S.S.G. offense level pursuant to U.S.S.G. §§ 5K2.13 and/or 5K2.0. The following matters are brought to the court's attention in support of this Motion:

1. Defendant Alastair Lee Stewart has pleaded guilty to a sexual offense involving an adolescent girl.
2. Sentencing is scheduled for September 10, 2019.
3. Defense counsel filed a psychological report concerning Mr. Stewart that was prepared by Terri Collin Dilmore, Ph.D., a licensed clinical psychologist, who evaluated Mr. Stewart in connection with his upcoming sentencing.
4. Due to the sensitive nature of the matters discussed in Dr. Dilmore's report, the court permitted defense counsel to file the report under seal.

5. Dr. Dilmore's conclusions regarding Mr. Stewart, as well as the circumstances of his upbringing that are explored in her report and Mr. Stewart's sentencing memorandum, provide compelling bases for the grant of a diminished capacity and/or extraordinary circumstances downward departure.

WHEREFORE, Mr. Stewart requests the entry of an Order granting him an appropriate U.S.S.G. offense level downward departure due to his diminished capacity and/or extraordinary circumstances.

Respectfully submitted,

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